

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

UNITED STATES DISTRICT COURT

for the

District of

Division

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

2018 OCT -3 PM 1:43

OFFICE OF THE CLERK

Case No.

8:18CV468  
(to be filled in by the Clerk's Office)

ARTHUR-JAMES-GRIFFIN (JR)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

DOUGLAS COUNTY DEPARTMENT  
OF-CORRECTIONAL OFFICER  
LEGAL-MAIL (ISSUE)

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

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OCT 03 2018

CLERK  
U.S. DISTRICT COURT

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

ARTHUR-JAMES-GRIFFIN (JR)

All other names by which  
you have been known:

NICK-NAME: (JOE)

ID Number

1551891

Current Institution

DOUGLAS COUNTY DEPT. OF CORR.

Address

1700 SO. 17th Street

OMAHA

NE

68102

City

State

Zip Code

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

**Defendant No. 1**

Name

(UNSURE): MAIL-ROOM

Job or Title (*if known*)

MAIL-ROOM-Inside-LEGAL-MAIL

Shield Number

(UNSURE)

Employer

DOUGLAS COUNTY Sheriff Dept

Address

710 SO. 17th Street

OMAHA

NE

68102

City

State

Zip Code

☒ Individual capacity☐ Official capacity**Defendant No. 2**

Name

Job or Title (*if known*)

Shield Number

Employer

Address

City

State

Zip Code

☐ Individual capacity☐ Official capacity

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

## Defendant No. 3

Name

Job or Title (if known)

Shield Number

Employer

Address

N/A

City

State

Zip Code

☐ Individual capacity☐ Official capacity

## Defendant No. 4

Name

Job or Title (if known)

Shield Number

Employer

Address

N/A

City

State

Zip Code

☐ Individual capacity☐ Official capacity

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐ Federal officials (a *Bivens* claim)☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Inmate-LEGAL-MAIL, system  
(See) Inmate-HANDBOOK

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

### III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☒ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (explain) \_\_\_\_\_

### IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

~~CHIT # 8467 RECORDS AND~~  
~~CHIT # 8467 RECORDS~~ *VA*

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

CHIT # 8467 RECORDS AND -  
~~CHIT #~~ Inmate - LEGAL - MAIL



C. What date and approximate time did the events giving rise to your claim(s) occur?

9\24\2018

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

I SIMPLY WROTE INMATE-LEGAL-MAIL ON FRONT AND BACK OF MY PREPAID COMMISSARY ENVELOPES

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

MENTAL-STRESS  
MENTAL-ANGUISH, LOST OF COST OF  
THREE PREPAID U.S. STAMPED ENVELOPES

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Demurrer: declaratory Judgment  
(OR) TORT DAMAGES

**VII. Exhaustion of Administrative Remedies Administrative Procedures**

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

- ☒ Yes  
☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

*DOUGLAS COUNTY DEPT. OF CORRECTIONS*

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

- ☒ Yes  
☐ No  
☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

- ☐ Yes  
☐ No  
☒ Do not know

If yes, which claim(s)?

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☐ Yes

☒ No

REQUESTED GRIEVANCE FORM  
NEVER GOT ONE

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☒ No

- E. If you did file a grievance:

1. Where did you file the grievance?

MA

2. What did you claim in your grievance?

MA

3. What was the result, if any?

MA

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

NEVER GOT REQUESTED  
GRIEVANCE FORMS.

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

REQUESTED GRIEVANCE  
NEVER SENT OR GIVEN TO ME

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

DOUGLAS COUNTY DEPT. - OF - CORR.  
CASE-MANAGEMENT Sgt. BY  
INMATE REQUEST FORM

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

REQUESTED GRIEVANCE FORM  
FROM POD-OFFICERS

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

### VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.



- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) N/A

Defendant(s) \_\_\_\_\_

2. Court *(if federal court, name the district; if state court, name the county and State)*

\_\_\_\_\_

3. Docket or index number

\_\_\_\_\_

4. Name of Judge assigned to your case

\_\_\_\_\_

5. Approximate date of filing lawsuit

\_\_\_\_\_

6. Is the case still pending?

☐ Yes

☒ No

If no, give the approximate date of disposition. N/A

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

N/A

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

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☐ Yes☒ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s)

Defendant(s)

N/A

2. Court (if federal court, name the district; if state court, name the county and State)

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition

N/A

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

N/A

**IX. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

7/28/2018

Signature of Plaintiff



Printed Name of Plaintiff

ARTHUR-JAMES-GRIFFIN-(12)

Prison Identification #

1551892

Prison Address

710 South 17th Street

OMAHA

NE

68102

City

State

Zip Code

**B. For Attorneys**

Date of signing:

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

07:43 AM  
09/27/2018KEEFE COMMISSARY NETWORK  
P.O BOX 17490, St Louis, MO 63178-7490PAGE: 1 OF 1  
SHIP FROM: 309

NAME: GRIFFIN, ARTHUR T

PICKED BY:

NUMBER: 1551091

CPR: 100625489

FACILITY NUMBER: 16205(289)6J-001)

BFG FUND BAL: 19.11

BLOCK: 011

TIER: 06

CELL: 002

ORDER DATE: 09/27/2018

FACILITY NAME: DOUGLAS CO CORR CTR

WORD: 11169676

LID

RAY  
MOBQ

SEQ \*ALIAS QTY UOM DESCRIPTION

ITEM# T PRICE TOTAL

0045 1 EA AFRICAN CROWN HAIRCRESS  
1015 3 EA MANILLA ENVELOPE  
1060 1 PAD 8.5 X 11 LETTER PAD WHT  
2000 2 EA S.S. KEEFE COFFEE  
4150 1 EA SOUR FRUIT BALLS 4.25OZ  
6348 1 EA CA HOT CHEESE CRUNCHY  
\*8576 3 EA PRE-PRNTO/STNPO ENVELOP

24672 1.40 1.40  
20243 0.16 0.48  
20295 0.07 0.87  
235 0.35 0.70  
40507 1.05 1.05  
7992 2.10 2.10  
6262 0.65 1.95

Credit

REFLECTED ITEMS

ALIAS QTY DESCRIPTION  
0102 1 P-UP A/P DEODORANT FORCE  
6119 1 CA MOUND TORTILLA CHIPS

REASON  
Unauthorized Item  
Unauthorized Item

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U.S. DISTRICT COURT  
ST. LOUIS

SUBTOTAL 8.55  
SALES TAX 0.19  
ORDER TOTAL 8.74

END FUND BAL 4.37

CATEGORY/DESCRIPTION

I=Invalid(Not On Menu) B=Backordered C=Cancelled  
N=Not Available/Sub S=Substituted V=NonInventory

LIST ITEM# OF SHORTAGES AND/OR DAMAGES QTY

SIGNED

DATE

WITNESSED BY

DATE

9/27/18



STATE-OF-NEBRASKA, CITY-  
OF- OMAHA, COUNTY-OF-Douglas  
COUNTY COURT, OFFICE-OF-CLERK:  
ARREST:#K1136650\REPORT#K95145

CITY-OF- OMAHA  
Douglas County  
PLAINTIFF  
VS.

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CLERK  
U.S. DISTRICT COURT  
4A

ARTHUR-JAMES-GRIFFIN (JR)  
Defendant\ PRO-SE

Defendant\ PRO-SE: written  
motion AND Request FOR:-  
Bill-OF-PARTICULAR IN-pending  
CASES, AND Defendant's motion  
TO: QUASH IN THE proceeding  
Requesting: Declaratory -  
Judgment Relief: IN-pending  
CASES: GROUNDS FOR: Dismissal -  
LACK OF PROSECUTION: Placing  
A person before A public House  
Light. Defendant\ PRO-SE:  
Written Waiver For Jury  
trial IN-pending CASES.

Defendant-sig: AR J. M.  
MAILING-Date: 09/23/2018  
PREPAID-Inmate-LEGAL-MAIL



ARTHUR-JAMES-GRIFFIN-<sup>SR</sup>(JR)

Printed Name

(4551891) (1A) Q6

Data # Module #

Douglas County

DEPARTMENT OF CORRECTIONS

710 SOUTH 17TH STREET

OMAHA, NEBRASKA 68102

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OMAHA

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DOUGLAS-COUNTY COURTHOUSE  
OMAHA, NEB: 68102-1322

LEGAL

LEGAL-MAIL



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ARTHUR - JAMES - GRIFFIN (JR)

Printed Name

(1551891) (11/06)

Data # Module #

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DEPARTMENT OF CORRECTIONS

710 SOUTH 17TH STREET

OMAHA, NEBRASKA 68102

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OMAHA

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OMAHA, NEBRASKA: 68102-~~1111~~

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ARTHUR JAMES GRIFFIN (R)

DATA: # 1551891 / POD: # 11 / 6

DOUGLAS COUNTY DEPT. OF CORR.  
710 SO. 17<sup>th</sup> STREET  
OMAHA, NEB: 68102

Hasler  
09/28/2018  
US POSTAGE \$001.63<sup>0</sup>  
FIRST-CLASS MAIL  
ZIP 68102  
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U.S. DISTRICT COURT  
OMAHA

THIS MAIL WAS SENT  
FROM THE DOUGLAS  
COUNTY CORRECTIONAL  
CENTER, OMAHA, NE

ATTN: CLERK - U.S. DISTRICT, CRT: RM: 1152  
111 - SO. 18<sup>th</sup> PLAZA  
OMAHA, NEB: 68102-1322

BULK-RATE  
Firmate-LEGAL-  
MAIL





LEGAL - MAIL